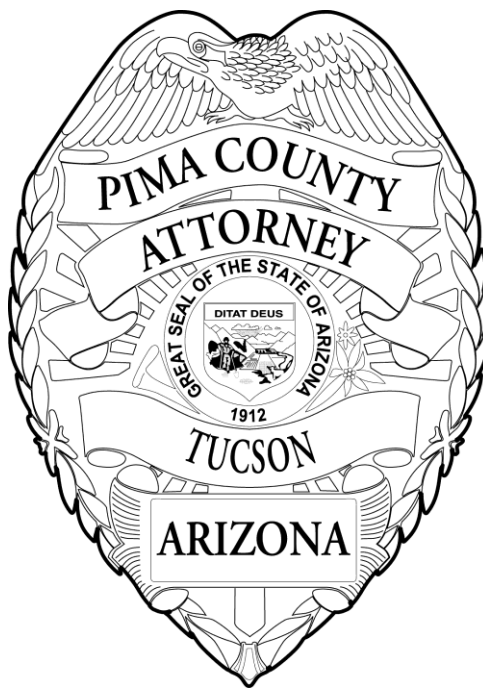


**ANNUAL REPORT ON THE
INVESTIGATION OF CHILD ABUSE
2015 - 2016
PIMA COUNTY, ARIZONA**



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Annual Report on the Investigation of Child Abuse 2015-2016 Pima County, Arizona

According to Statute § 8-817, the Pima County Attorney's Office is responsible for providing an annual report on the investigation of child abuse in the county to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In Pima County the Multi-Disciplinary Team (MDT) for Child Abuse Investigation was created to ensure compliance with the protocol by that name. The protocol was developed in 1992-1994 under the leadership of the Pima County Attorney's Office in response to a perceived community need. In 2003 the Arizona State Legislature passed A.R.S. § 8-817 requiring the development of, and adherence to, a multidisciplinary protocol for the investigation of child abuse.

The Pima County Protocols for the Multi-Disciplinary Investigation of Child Abuse include the monitoring of all investigations of **“allegations involving criminal conduct”** defined by A.R.S. § 8-801 to insure that joint investigations are conducted. Statute (§ 8-801) includes the following statutes in its description of child abuse: inflicting or allowing sexual abuse pursuant to section § 13-1404, sexual conduct with a minor pursuant to § 13-1405, sexual assault pursuant to § 13-1406, molestation of a child pursuant to § 13-1410, continuous sexual abuse of a child pursuant to § 13-1417, child prostitution pursuant to § 13-3212, commercial sexual exploitation of a minor pursuant to § 13-3552, sexual exploitation of a minor pursuant to § 13-3553, certain domestic violence offenses that rise to the level of a felony pursuant to § 13-3601, and physical injury pursuant to § 13-3623.

This report is the compilation of information collected from the municipal, county, and state agencies on the number of cases handled and the frequency of joint investigations conducted in Pima County. The report also notes problems identified with the reporting and collection of data.

Pima County Attorney's Office

Number of Defendants: 882

Number of Charges: 1020

13-1404: 81 defendants

82 charges

13-1405: 103 defendants

106 charges

13-1406: 113 defendants

113 charges

13-1410: 113 defendants

117 charges

13-1417: 20 defendants

20 charges

13-3552: 1 defendant

1 charge

13-3553: 31 defendants

32 charges

13-3601: 134 defendants

152 charges

13-3623: 374 defendants

397 charges

Number of cases presented by Agency:

Air Force: 2

Counter Narcotics Alliance: 2

Department of Public Safety: 11

Dept of Homeland Security: 3

Marana Police Dept: 16

Oro Valley Police Dept: 11

Pima County Sheriff's Dept: 329

Sahuarita Police Department: 17

South Tucson Police Dept: 7

Tohono O'odham Police Dept: 1

Tucson Police Dept: 479

U.S. Border Patrol: 1

University of Arizona PD: 5

All Defendants: 882

All Charges: 1020

Case Dispositions (these include actions that occurred both at issuing and after indictment).

Number of Defendants: 868

Number of Charges: 971

Unique Defendant Count by Disposition:

Dismissed With Prejudice: 4

Dismissed Without Prejudice: 162

Guilty-Plea: 308

Guilty-Trial: 26

Not Guilty: 3

Reviewed and Refused: 383

Southern Arizona Children's Advocacy Center

Number interviews: 1329

Number children served: 1395

Number of Medical Examinations: 170

Number of jointly investigated cases: 96% of the cases that were appropriate for joint investigation. This number just reflects cases that come through the Advocacy Center. DCS and law enforcement also do investigations without using the Advocacy Center. Note: Not all investigations are eligible for joint investigation. Many are out-of-home cases, so DCS (formerly CPS) is not involved.

Marana Police Department

17 cases involving serious child crime allegations.

- 8 cases of molestation

- 5 cases of sex abuse

- 6 cases of physical abuse

- 1 case aggravated assault

Of the 20 case investigated 7 cases were investigated jointly with DCS

- 6 of the cases were prosecuted

 - 1 case for molestation, 13-1410

 - 2 cases for sex abuse 13-1404

 - 3 cases for child abuse 13-3623

Oro Valley Police Department

37 cases involving serious child abuse conduct allegations

- 19 cases jointly investigated with DCS (formerly CPS)

- 2 cases referred for prosecution:

 - 9 cases jointly investigated with Children's Advocacy Center

 - 5 cases jointly investigated with other agencies

The cases referred for prosecution were charged under the follow statutes:

 - 1 case under § 13-1204A6 Agg Assault on Minor under 14 YOA

 - 1 case under § 13-1204B1 Agg Assault Impede Breathing

 - 1 case under § 13-1405 Sexual Misconduct with a minor

 - 1 case under § 13-3623A1 Child Abuse

 - 1 case under § 13-3623A2 Child/Vulnerable Adult Abuse-Intent

South Tucson Police Department

18 cases involving Child Crime allegations based on the FBI UCR
Classification for Offenses Against Family and Children:

- 6 under UCR 20.01 Physical Abuse
- 2 under UCR 20.02 Neglect
- 3 under UCR 20.05 Custodial Interference
- 6 under UCR 20.06 Other-Child Abuse
- 1 under UCR 20.15 Custodial Interference/DV

Most cases are investigated jointly with DCS (formerly CPS). There is no indication in the STPD system to identify the number referred for prosecution.

Tucson Police Department

Child Sexual Assault and Dependent Child Units

	<u>Reviewed/Received</u>	<u>Assigned</u>
Child Molestation:	358	199
Sex Offenses:	168	42
Sexual Assault	103	62
Physical Abuse	404	127
Neglect	123	18

These are more types of cases received and assigned to each unit that are not depicted in this report. All cases assigned through the Child Physical Abuse Unit and jointly investigated with DCS, however, TPD does not document the numbers of Child Sexual Abuse Unit cases that are jointly investigated. However, any CSA case that involves a child where the suspect is a guardian or caregiver would be a joint investigation with DCS.

Pima County Sheriff's Office – Crimes Against Children Unit

Child Molestation:	154
Sex Offenses (other):	323
Physical Abuse:	156
Neglect:	45
Sex Assault/Rape (child):	0
Sex Offender Registration:	397
Missing/Endangered:	133

Unless a case does not meet the criteria for DCS (formerly CPS) involvement, 90% of PCSO sex abuse/sex offense cases are jointly investigated. On physical abuse cases the PCSO works joint investigations only 45% of the time and DCS conducts their own follow-up.

Sahuarita Police Department

Cases reported based on the FBI UCR classifications:

- (UCR 20.01) – Offense Against Family/Physical Abuse – 8
 - 6 of these cases were referred to or by DCS
 - 1 case was referred to or by CPS
- (UCR 20.02) – Offense Against Family/Neglect - 4
 - 2 of these cases were referred to or by DCS
 - 1 case was referred to or by CPS
- (UCR 20.05) – Offense Against Family/Custodial Interference - 5
 - These were not referred to or by DCS or CPS
- (UCR 20.15) – Offense Against Family/DV Custodial Interference – 1
 - This was not referred to or by DCS or CPS
- (UCR 20.16) – Offense Against Family - Other – 8
 - 6 of these cases were referred to or by DCS
- (UCR 17.01) – Sex Offense – Molesting - 2
 - These were not referred to or by DCS or CPS
- (UCR 17.02) – Sex Offense - Child Molesting – 9
 - 6 of these cases were referred to or by DCS
 - 2 of these cases were referred to or by CPS
- (UCR 17.03) – Sex Offense – Exposure & Peeping – 2
 - 1 case was referred to or by CPS
- (UCR 17.04) Sex Offense – Obscene Phone Calls – 2
 - These were not referred to or by DCS or CPS
- (UCR 17.05) – Sex offense – Lewd & Lascivious Act – 1
 - 1 case was referred to or by DCS
- (UCR 17.06) – Sex Offenders – Other – 11
 - 3 of these cases were referred to or by DCS
 - 2 of these cases were referred to or by CPS

Cases involving contact with Department Child Services:

- UCR 2902 – Runaway Juv - Institute or Foster - 1
- UCR 5303 – Public Assist Check Welfare - 2
- UCR 5603 – Suspicious Activity / Other – 1
- UCR 6003 – Assist Other State Agency – 2

Cases involving contact with Child Protective Services:

- UCR 5201 – Found Person – 1
- UCR 5303 – Public Assist Check Welfare – 4
- UCR 5402 – Civil – Preserve the Peace – 1
- UCR 5603 – Suspicious Activity Other – 1
- UCR 6002 – Assist Other County Agency – 1
- UCR 6003 – Assist Other State Agency - 2

Problems Identified With Reporting Child Abuse and Joint Investigations

There is a problem with each agency defining criminal conduct against children differently and then collecting and reporting on different types of data. The Pima County Attorney's Office uses the definition of criminal conduct given in A.R.S. § 8-801:

2. *"Extremely serious conduct allegation" means an allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:*

(a) A violation of section 13-3623 involving child abuse.

(b) A felony offense that constitutes domestic violence as defined in section 13-3601.

(c) A violation of section 13-1404 or 13-1406 involving a minor.

(d) A violation of section 13-1405, 13-1410 or 13-1417.

(e) Any other act of abuse that is classified as a felony.

Because of item (e) above the Pima County Attorney's Office report

includes: §13-3552 - *commercial sexual exploitation of a minor,*

§13-3553 - *sexual exploitation of a minor,*

§13-3212 - *child prostitution.*

The Pima County Attorney's Office data collection system allows reporting by statute charged. Some Law Enforcement agencies are able to report by the Arizona statute, while others use the Uniform Crime Reporting (UCR) system of the FBI. Adding to the problem is that when searching by statute, A.R.S. § 13-3623 and § 13-3601 include not only acts against children but against adults, thus additional vigilance of the data is needed.

Cases that occur out of the home or do not involve a family member are not within the scope of authority for DCS (formerly CPS) so they are not jointly investigated.